



# PUBLIC NOTICE

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## MEDIA BUREAU LIFTS LPTV AND TV TRANSLATOR APPLICATION FILING FREEZES EFFECTIVE April 18, 2019

The Media Bureau announces that, effective April 18, 2019, it is lifting the displacement and digital companion channel application filing freezes related to low power television and TV translator stations (LPTV/translator stations). These freezes were imposed to preserve channels for the window for LPTV/translator stations displaced by the Incentive Auction to file displacement applications (Special Displacement Window or Window).<sup>1</sup> The displacement freeze was temporarily lifted to accommodate the filing of displacement applications by licensed LPTV/translator stations which were displaced by Incentive Auction matters in the Special Displacement Window.<sup>2</sup> With completion of the Special Displacement Window on June 1, 2018, and post-Window settlement opportunity on January 10, 2019,<sup>3</sup> the Media Bureau deems it appropriate to now lift these filing freezes. Interested parties may resume filing of the below-referenced applications on a first-come, first-serve basis on **April 18, 2019**.<sup>4</sup>

**Displacement Applications.** The freeze on the filing of displacement applications, enacted in 2014, is lifted effective April 18, 2019.<sup>5</sup>

<sup>1</sup> See *Freeze on the Filing of Applications for Digital Replacement Translator Stations and Displacement Applications*, Public Notice, 29 FCC Rcd 6063 (MB 2014); *Freeze on the Filing of Applications for Digital Companion Channels*, Public Notice, 32 FCC Rcd 566 (MB 2017).

<sup>2</sup> See *Incentive Auction Task Force and Media Bureau Announce Post Incentive Auction Special Displacement Window April 10, 2018, Through May 15, 2018, and Make Location and Channel Data Available*, Public Notice, 33 FCC Rcd 1234 (IATF and MB 2018); *Incentive Auction Task Force and Media Bureau Extend Post Incentive Auction Special Displacement Window Through June 1, 2018*, Public Notice, 33 FCC Rcd 3794 (IATF and MB 2018).

<sup>3</sup> See *Incentive Auction Task Force and Media Bureau Announce Settlement Opportunity For Mutually Exclusive Displacement Applications Filed During the Special Displacement Window*, Public Notice, DA 18-1108 (MB/WTB Oct. 30, 2018).

<sup>4</sup> We note that the Commission recently adopted rules concerning eligibility for reimbursement under the 2018 Reimbursement Expansion Act for certain LPTV/translator stations for costs incurred as a result of the Incentive Auction. See *LPTV, TV Translator, and FM Broadcast Station Reimbursement; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, FCC 19-21 (Mar. 15, 2019) (*REA R&O*); *Consolidated Appropriations Act, 2018*, Pub. L. 115-141, at Division E, Title V, § 511, 132 Stat. 348 (2018) (codified at 47 U.S.C. § 1452(j)-(n)) (*Reimbursement Expansion Act or REA*). The Commission concluded that only stations that were eligible to file and filed an application in the Commission's Special Displacement Window are eligible to seek reimbursement. See *REA R&O* at paras. 24-25. Stations that filed during the Window, had their applications dismissed but re-filed, and had their applications granted are also eligible for reimbursement. *Id.* at para. 26. However, stations that did not file a displacement application during the Special Displacement Window are not eligible for reimbursement under the REA provisions.

<sup>5</sup> Section 74.787(a)(4) sets forth the rule concerning the filing of digital displacement applications. See 47 CFR §

***Digital Companion Channels.*** The freeze on the filing of applications of for digital companion channels, enacted in 2017, is lifted effective April 18, 2019.<sup>6</sup>

The freeze on the filing of applications for new LPTV/translator digital stations and major changes remains in effect.<sup>7</sup>

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74.787(a)(4). We note that the displacement rule does not apply to pending applications but only to “stations.” See 47 CFR § 74.787(a)(4).

<sup>6</sup> Section 74.787(a)(2) sets forth the rules concerning the filing of applications for digital companion channels.

<sup>7</sup> See *Freeze on the Filing of Applications for New Digital Low Power Television and TV Translator Stations*, Public Notice, 25 FCC Rcd 15120 (MB 2010); *Initiation of Nationwide First-Come, First-Served Digital Licensing for Low Power Television and TV Translators Postponed Until Further Notice*, Public Notice, 25 FCC Rcd 8179 (MB 2010). The Media Bureau has been and will continue to process pending applications for new digital LPTV/translator stations filed before the freeze. The processing of pending new station applications that are not grantable because they propose channels reallocated for new, flexible use by a 600 MHz Band Wireless Licensee (channels 38-51), will cause or receive interference to full power and Class A stations that were assigned new channels in the Incentive Auction repacking process (channels 2-37), or propose frequencies that serve as part of the 600 MHz guard band will be considered at a later time.